



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/627,009	07/27/2000	James J. Macor	MACOR 9	2699

7590

09/13/2002

Paul Gardon  
Avaya Inc  
101 Crawfords Corner Road  
Holmdel, NJ 07733-3030

EXAMINER
----------

ALPHONSE, FRITZ

ART UNIT	PAPER NUMBER
----------	--------------

2675

DATE MAILED: 09/13/2002

6

Please find below and/or attached an Office communication concerning this application or proceeding.

*[Handwritten signature]*

# Office Action Summary

Application No.  
09/627,009

Applicant(s)  
Macor

Examiner  
Fritz Alphonse

Art Unit  
2675



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Jul 27, 2000.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1, 3-7, 9-20, 22-26, 28, 29, and 31-58 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-7, 9-20, 22-26, 28, 29, and 31-58 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 6) ☐ Other:

Art Unit: 2675

## **DETAILED ACTION**

### ***Response to Amendment***

1. This is in regard to amendment filed on November 9, 2001 in which claims 1-14, 22-24, 26-28, and 31 are canceled and claims 34-69 are added.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1, 3-7, 9-19, 22-26, 28-29, 31-41 and 56 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

As to claims 1 and 20, the limitations "a motor for selectively rotating said at least one auxiliary display platform relative to said primary display platform between an open position and a closed position" has nowhere been disclosed in the specification. For instance, there is no indication of a motor for selectively rotating the auxiliary display platform. Therefore, the specification does not provide an enabling disclosure which would allow one skilled in the art to make or use the claimed invention.

Dependent claims 3-7, 9-19, 22-26, 28-29, 31-41 and 56 are rejected as being dependent on a rejected base claim.

Art Unit: 2675

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 42-47 rejected under 35 U.S.C. 102(a) as being anticipated by Yamamoto (U.S. Pat. No. 6,297,945).

As to claim 42, Yamamoto teaches about a telecommunication device comprising a handheld cellular phone; a primary display platform (14) having a display screen (11) located on said cellular phone; and an auxiliary display platform (4), having a display screen (10), rotatably connected to said primary display platform.

As to claims 43-47, Yamamoto (figs. 4, 7) teaches about a telecommunication device, wherein said auxiliary display platform (4) is adapted to rotate from a closed position to an opened position; said auxiliary display platform (4) is rotatably connected to said primary display to platform (14) through a hinge; said auxiliary display platform is sized and shaped to cover at least a portion of said display screen of said primary display platform in said closed position; and wherein said auxiliary display platform is sized and shaped to cover all of said display screen of said primary display platform in said closed position.

Art Unit: 2675

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 3-4, 9, 11-16, 19-20, 22-26, 28, 34-39, and 49-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Failla (U.S. Pat. No. 5,128,662) in view of Ditzik (U.S. Pat. No. 5,589,849).

As to claims 1 and 20, Failla (figs. 16-23) shows a computer monitor (210) comprising: a primary display platform (217) having a display screen; and at least one auxiliary display platform (213) having a display screen and being rotatably connected to said primary display platform (217). Failla (figs. 16-23) shows at least one hinge rotatably connecting at least one auxiliary display platform to the primary display platform.

Failla does not teach about a motor for selectively rotating at least one auxiliary display platform relative to a primary display platform between an open position and a closed position.

However, in the same field of endeavor, Ditzik teaches about a display monitor position adjustment apparatus wherein a motor connected to the display is used for adjusting the display device through a large range of orientations.

Art Unit: 2675

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Ditzik's monitor adjustment apparatus to Failla's collapsible display screen. By doing, a user has an option of adjusting the screen for a multiplicity of orientations.

As to claim 3, Failla (fig. 23) shows a computer monitor, wherein said at least one auxiliary display platform (213) is sized and shaped to cover at least a portion of said display screen of said primary display platform in said closed position.

As to claim 4, Failla (figs. 16-23) shows a computer monitor (210), wherein said at least one auxiliary display platform is sized and shaped to cover all of said display screen of said primary display platform in said closed position.

As to claim 9, Failla (figs. 16-23) shows a computer monitor (210), where in said at least one auxiliary display platform (213) is electrically connected to said primary display platform (217) through said at least one hinge (see figure 17; col. 9, lines 30-44).

As to claims 11-13 and 34-36, Failla (fig. 25) shows a computer monitor (307), comprising a first auxiliary display platform (312) rotatably connected to a primary display platform (314) with a horizontally-directed hinge (370) and, a second said auxiliary display platform (316) rotatably connected to said primary display platform (314) with a second horizontally-directed hinge (377) and, wherein said first and second auxiliary display platforms are sized and shaped to cover at least a portion of said display screen of said primary display platform in said closed to position.

As to claims 14-15 and 37-38, Failla (figs. 16-23) shows a computer monitor comprising a first auxiliary display platform (213) rotatably connected to said primary display platform (217) with

Art Unit: 2675

a vertically-directed hinge (270) and, a second said auxiliary display platform (214) rotatably connected to said primary display platform (217) with a second vertically-directed hinge (270). See figure 17.

As to claims 16 and 39, Failla (fig. 2) shows a computer monitor, comprising a third auxiliary display platform rotatably connected to a primary display platform with a horizontally-directed hinge (70).

As to claim 56, Failla (fig. 16) teaches about a computer system, wherein the primary display platform is located in a first plane, and said at least one auxiliary display platform is located in a second plane, which is angled relative to the first plane.

As to claims 19 and 25, Failla (figs. 16-23) shows a computer monitor, wherein the primary display platform and said at least one auxiliary display platform are integrated to inhibit overlapping of any displayed images (col. 9, lines 50-63)

As to claims 22-24, the claims have substantially the limitations of claims 3-4. Therefore, they are analyzed as previously discussed in claims 2-4 above.

As to claims 26 and 28, the claims have substantially the limitations of claim 9. Therefore, they are analyzed as previously discussed in claim 9 above.

As to claims 49-55, method claims 49-53 correspond to apparatus claims 1 and 19, therefore, they are analyzed as previously discussed in claims 1 and 19 above.

As to claims 57-58, method claims 57-58 correspond to apparatus claims 1 and 20, therefore, they are analyzed as previously discussed in claims 1 and 20 above.

Art Unit: 2675

8. Claims 5-7, 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Failla in view of Ohgami (U.S. Pat. No. 6,191,938).

As to claims 5 and 31, Failla does not explicitly disclose one activation/deactivation mechanism for turning on and turning off the display screens of said display platforms.

However, in the same field of endeavor, Ohgami discloses an electronic apparatus comprising one activation/deactivation mechanism for turning on and turning off the display screens of said display platforms (see abstract).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Failla by specifically providing a mechanism for turning on and turning off the display screens, as disclosed by Ohgami. The motivation would have been a desire to save power, thereby the cost of energy would be cut.

As to claims 6 and 32, Failla does not explicitly teach an activation/deactivation mechanism is adapted for turning on said display screens through rotation of said at least one auxiliary display platform from said closed position to said opened position and turning off said display screens through rotation of said at least one auxiliary display platform from said opened position to said closed position. However, these limitations are disclosed by Ohgami. See the motivation above.

As to claims 7 and 33, the claims have substantially the limitations of claim 6. Therefore, they are analyzed as discussed in claim 7.

9. Claims 10, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Failla in view of Tran (U.S. Pat. No. 5,805,415).



Art Unit: 2675

As to claims 10, 29, Failla does not disclose one auxiliary display platform is optically connected to said primary display platform through said primary display platform through at least one hinge.

However, in the same field of endeavor, Tran discloses a detachable flat panel computer display and support, wherein a permanent or detachable fiber optic connection 40 is established at a the display hinge (col. 8, lines 3-17).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Failla by specifically providing a permanent or detachable fiber optic connection, as disclosed by Tran. Doing so, it becomes possible for Failla to improve a user's viewing ability so that one can position the computer monitor at a comfortable distance and height for the eye.

10. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto in view of Tran.

As to claim 48, Yamamoto does not teach about a display that is optically connected to a display platform through a hinge. However, this limitation is disclosed by Tran (col. 8, lines 3-17).

11. Claims 17-18, 40-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Failla in view of Gouko (U.S. Pat. No. 6,222,507).

As to claims 17-18 and 40-41, Failla does not teach a fourth auxiliary display platform rotatably connected to a primary display platform with a second horizontally-directed hinge. However, this limitation is disclosed by Gouko (see figures 3-6).

Art Unit: 2675

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Failla by specifically providing a fourth display platform with a second horizontally-directed hinge, as disclosed by Gouko. Doing so would provide a display apparatus for use in a personal computer which has a plurality of display panels and is possible to see a plurality of images simultaneously.

*Response to Arguments*

12. Applicant's arguments filed on 6/14/02 have been fully considered but they are not persuasive.

*Conclusion*

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2675

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Reavey et al. (U.S. Pat. No. 5,847,698) discloses an electronic book device.

Batio et al. (U.S. Pat. No. 5,949,643) discloses a portable computer having split keyboard and pivotal display screen halves.

Fowler et al. (U.S. Pat. No. 6,302,612) discloses a pivotally extensible display device.

Chombo (U.S. Pat. No. 6,313,828) discloses an electronic book.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fritz Alphonse whose telephone number is (703) 308-8534.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Saras, can be reached at (703) 305-9720.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 ( for Technology Center 2600 only )**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Art Unit: 2675

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



F. Alphonse

Art Unit: 2675

Septembre 5, 2002



CHANH NGUYEN  
PRIMARY EXAMINER